

FINANCIAL INSTITUTIONS COMMITTEE
Business Law Section, State Bar of California

Minutes of the Meeting of October 9, 2007

Committee Members Present:

Meg Troughton, Chair
Rosie Oda, Co-Vice Chair
Bob Stumpf, Secretary
Michael Abraham
Richard de la Pena
Pete Ungles
Elaine Lindenmeyer
Joe Sanchez
Will Stern
Shirley Thompson
Mike Zandpour

Advisory Members and Others Present:

Sally Brown
Andrew Druch
Bart Dzivi
Bob Mulford
Jason Robman
Jim Rockett
Neil Rubenstein
Gerry Tsai
Chuck Washburn
Ken Davis
Gil Webb
Andy Stone
David Wright
Susie Allison
Craig Chang

Call to Order: Meg Troughton called the meeting to order at 9:30 a.m.

1. **Roll Call, Introductions, and Administrative Matters:** Meg welcomed the Committee Members, Advisory Members, and Guests.
2. **Approval of the Minutes for September 11, 2007.** In process.
3. **Presentation on Basel II.** David M. Wright, Vice President of the Federal Reserve Bank of San Francisco, provided a very thorough and interesting PowerPoint presentation entitled, "Basel II: A Primer and Supervisory Prospective." (See attached). Here are a few points particularly worth noting:
 - A July 2007 press release has paved the way for finalizing the U.S. framework for Basel II in the United States.
 - In this country, Basel II is mandatory only for financial institutions with at least \$250 billion in assets. Thus, only ten United States financial institutions are required to comply. Other banks may, if they choose, adopt Basel II.

- The Basel Capital Accord was adopted in 1988 and was the first international agreement aimed at "risk-based" capital adequacy.
- The so-called "Three Pillars" of capital adequacy of Basel II are minimum capital standards, supervisory review, and market discipline.
- Basel I adopted preset risk weights for different loan/investment categories. Basel II adopts a more sensitive, particularized risk assessment methodology.
- Basel I applies to more local financial institutions, and a "standardized approach" that lies somewhere between Basel I and Basel II is in process. Smaller banks are concerned that Basel II banks will have a competitive advantage.
- Each signatory country tailors Basel I and/or Basel II to its own circumstances, although the intent is to make international approaches as consistent as possible. Basel II banks are concerned about possible competitive disadvantages as compared to foreign banks because of the U.S. delay in adopting Basel II and also because foreign regulation may not be as stringent.
- Basel is, of course, only one part of the story. United States banks will still have a five percent leverage ratio, and ratings issued by ratings agencies will still matter a lot. So will the need to take the perception of shareholders, investors, and other stakeholders into account, as well as the financial institution's own internal economic capital analysis.
- U.S. banks will have three years to comply, beginning on January 1, 2008. In the meantime, there is considerable competitive pressure to use Basel II sooner rather than later because, in most cases, it would result in somewhat lower net capital requirements.

4. What's Going On in the World of Escheat? Gene Elerding gave a very technical yet and interesting update on the latest developments in escheat law. In particular, he noted the Controller of the State of California is proposing six reforms of the existing escheat law, including: (1) extending the period for escheat longer than three years; (2) requiring financial institutions to provide exposures at the time safety deposit box agreements are entered into; (3) not transferring the contents of safety deposit boxes under certain circumstances if there is a tie-in with other accounts; (4) paying interest at five percent on escheat property; (5) relieving financial institutions of liability only if they have fully complied with the escheat law; and (6) imposing additional penalties of as much as \$1,000 per day to a maximum of \$25,000.

In the meantime, SB 86 has passed, which among other things, requires financial institutions to mail notice to account holders before escheat takes place.

Gene also noted four uncertainties in existing law:

(1) Does a ZIP code constitute an owner's "last known address" for purposes of escheat?

(2) If there is no last known address, the domicile of the holder institution generally controls but what about national banks?

(3) Can a holder avoid liability by willfully avoiding knowing about a recording an owner's "last known address"?

(4) What about cashiers' checks — what address matters, payee or remitter?

Where do we go from here? In 2001, the California Bankers Association submitted questions and answers. Or, should there be a new amnesty period? Should someone ask the attorney general's office to create new regulations for the controllers' office? (Apparently, the CBA has decided not to go forward with new questions and answers, or take any further action at this point.)

Meanwhile, our Committee is forming a work group with the goal of having a meeting with the Controllers' office to discuss open escheat questions. Maureen Young has agreed to serve on such a work group, if formed, and Meg Troughton has sent an e-mail to Committee members and advisors soliciting participation. (See attached.)

5. Federal Legislative Update. Bart Dzivi gave a very thorough and thoughtful analysis of developments on the federal legislative front. Bart's handouts and notes are attached. (See attached.)

6. State Legislative Update. Bob Mulford provided a similar analysis regarding Pending California Legislation of Interest to Bankers as of October 3, 2007. (See attached.)

7. Class of 2010. The following persons were recommended for appointment to the Committee as members of the Class of 2010: Jason Robman, Steve Balian, Andy Stone, Craig Chang, and Susan Allison.

8. Adjournment. The meeting was adjourned at 11:50 a.m. The next regular meeting is scheduled to take place on November 6, 2007.

**FINANCIAL INSTITUTIONS COMMITTEE MEETING
BUSINESS LAW SECTION, STATE BAR OF CALIFORNIA**

MEETING NOTICE AND AGENDA

**Tuesday, October 9, 2007
9:30 a.m. – 11:30 a.m.**

By Video Conference

LOS ANGELES	SAN FRANCISCO	COSTA MESA
Sheppard, Mullin, Richter & Hampton LLP 333 South Hope Street 41st Floor, Room 41 SE	Sheppard, Mullin, Richter & Hampton LLP 4 Embarcadero Center, 17th Floor	Sheppard, Mullin, Richter & Hampton LLP 650 Town Center Drive, 4th Floor, Room A

DIAL-IN NUMBER IF JOINING BY PHONE:

Dial in #: 800-281-5354

Call Confirmation No.: 704550

**(WE STRONGLY ENCOURAGE MEMBERS TO JOIN IN-PERSON
AT ONE OF THE THREE VIDEO LOCATIONS.)**

Please contact Meg Troughton with any questions

meg.troughton@bankofamerica.com or 415.622.6310

AGENDA

1. Roll call and introductions (Meg Troughton).
2. Approval of September minutes (Bob Stumpf).
3. Basel 2 (David Wright).
4. What's going on in the world of escheat? (Gene Elerding).
5. Federal Legislative Update (Bart Dzivi).
6. Class of 2010 (Meg Troughton).

Financial Institutions Committee
Business Law Section, State Bar of California
October 9, 2007
Page 2

7. Open Meeting: Other items of interest (Committee members).
8. Adjourn.

Robert Stumpf

From: E. David Marks [EDM@msrlegal.com]
Sent: Monday, October 01, 2007 1:49 PM
To: Robert Stumpf
Subject: Amended Complaint

Attachments: Amended Complaint.pdf



Amended
omplaint.pdf (29 KB)

Bob,

I will be serving our opposition to the demurrer tomorrow. I will be asking for leave to amend if your demurrer is granted, which we both know is very routine. I attach the amended complaint we would file. I believe we have alleged enough facts but this will fill it out even more. Please review it and let me know if we both can save our clients some money and take the demurrer off calendar. Of course, I will need to get a stipulation from Mr. Johnson but do not think this will be a problem because it does not impact his motion.

Thanks

David

<<Amended Complaint.pdf>>

IRS CIRCULAR 230 DISCLOSURE:

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Basel II: A Primer and Supervisory Perspective

Prepared By:

David M Wright
Group Vice President
Federal Reserve Bank of San Francisco

October 2007

Any views expressed represent those of the author only and not necessarily those of the
Federal Reserve Bank of San Francisco

U.S. Banking Agencies Agree on Basel II

July 2007 press release paves the way to finalizing U.S. Basel II framework:

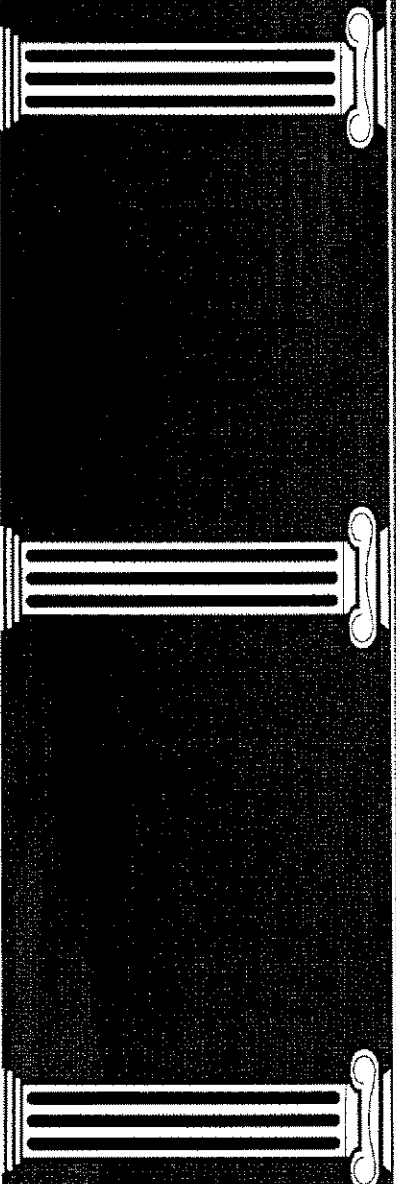
- Basel II advanced approaches to be aligned with international approaches and finalized quickly
- Study to be published after second transition year to determine if framework contains material deficiencies
- Basel II standardized approach to replace Basel 1A; available to non-Basel II banks

Basel I Capital Accord

- 1988 Basel Accord: first international agreement aimed at “risk-based” capital adequacy
- Capital charges set based on relative degree of risk associated with loan or investment categories, including off-balance sheet items
- Banks subject to a ratio of: $\text{Total Capital} / \text{Risk-Weighted Assets} = 8\%$

Basel II Capital Accord

Three Pillars of Capital Adequacy



Minimum
Capital
Standards

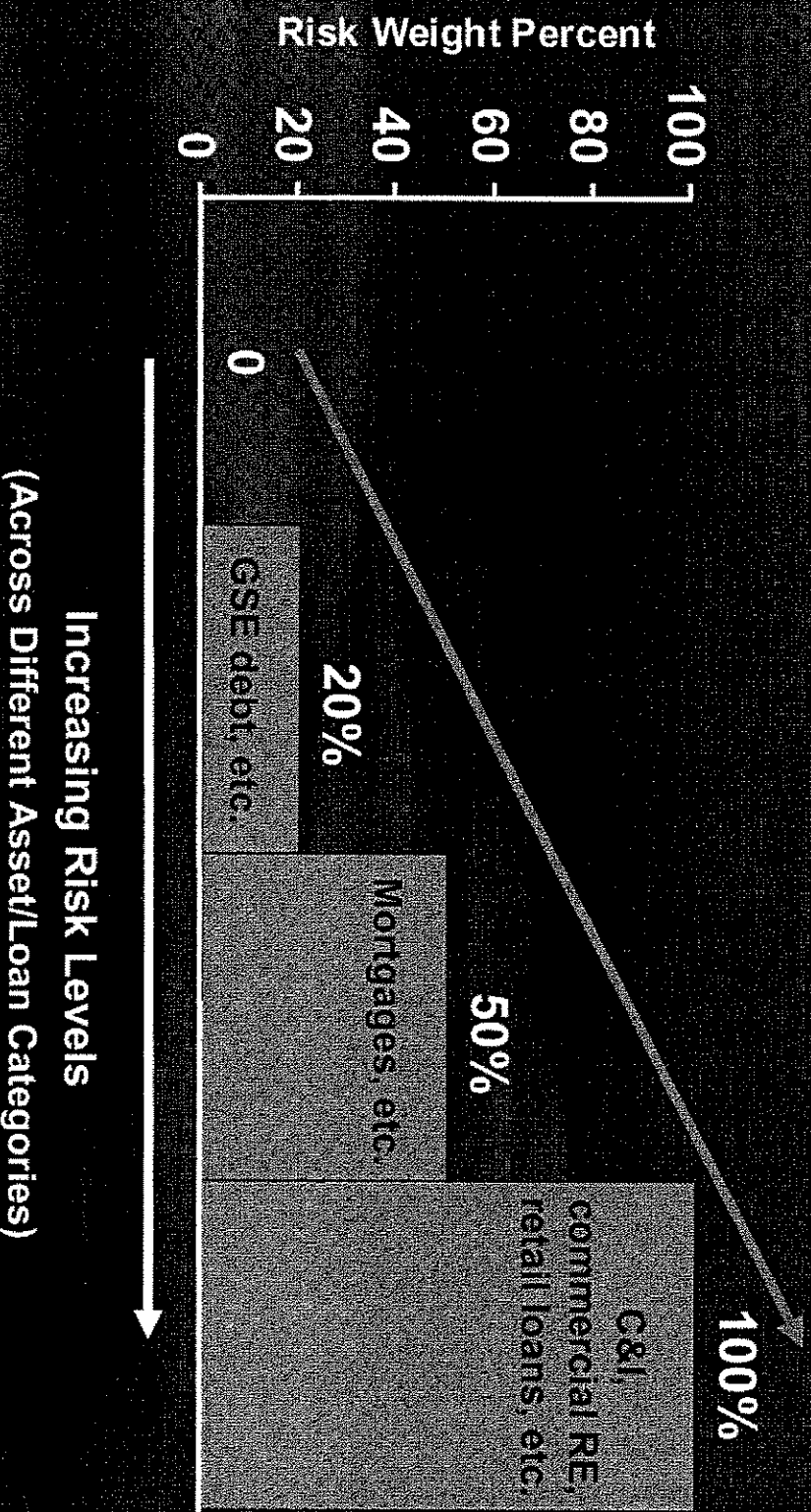
Supervisory
Review

Market
Discipline

- Credit risk
- Operational risk
- Market risk
- Banks review own capital adequacy
- Supervisors evaluate bank assessments
- Enhanced disclosures given increased reliance on internal assessments

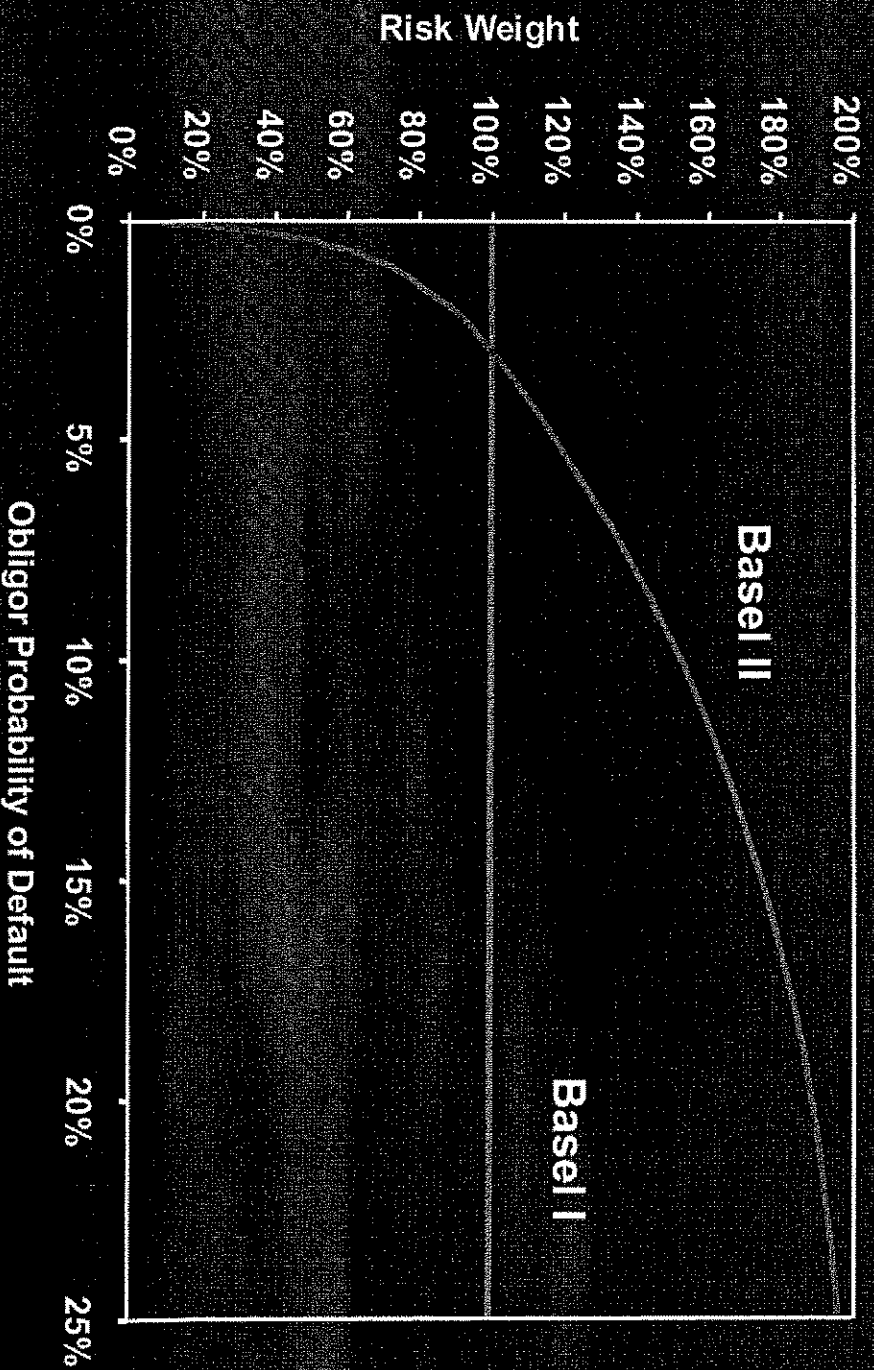
Measure of Risk Under Basel I

Preset Risk Weights for Different Loan/Investment Categories



Basel II Risk Sensitivity

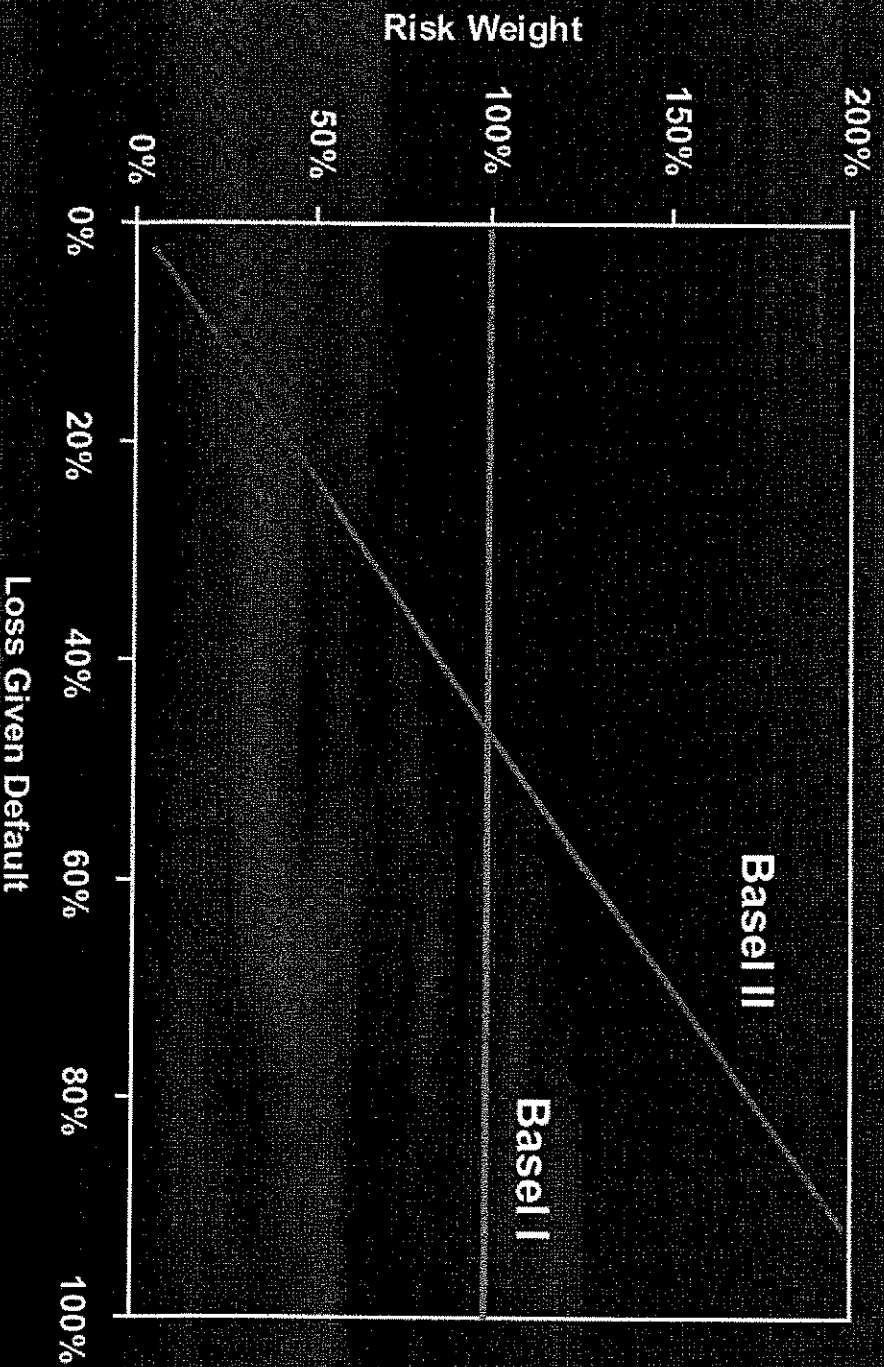
Example of Basel II Risk Sensitivity for Corporate Loans
(Assumes LGD of 35%)



Basel II Risk Sensitivity (cont.)

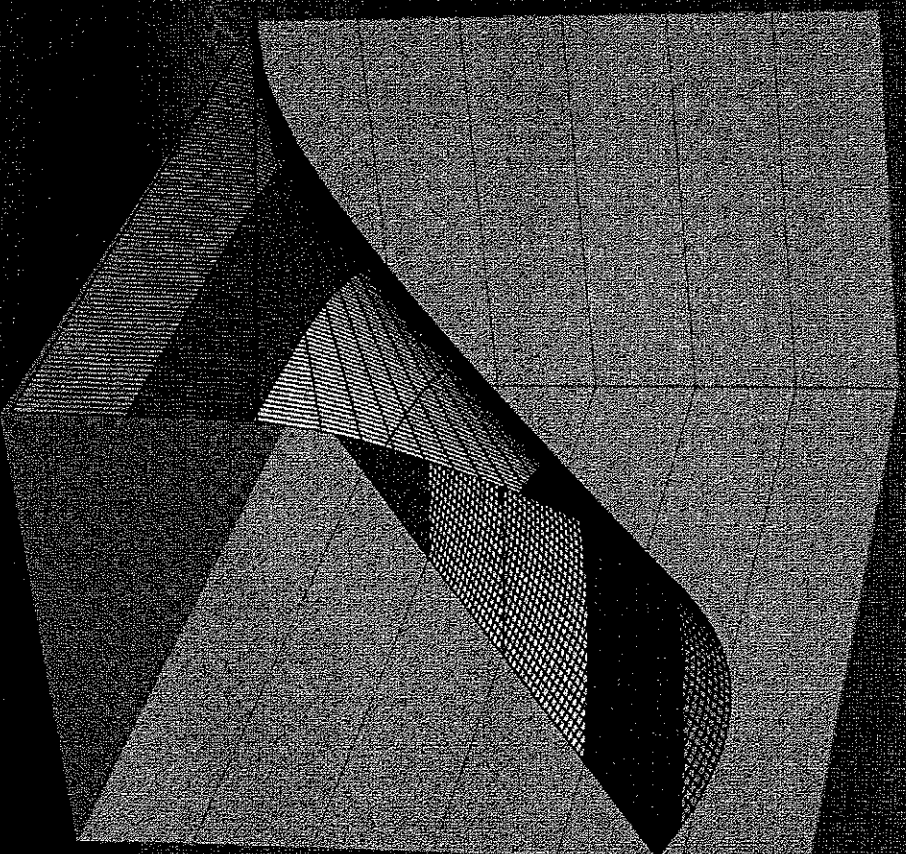
Example of Basel II Risk Sensitivity for Corporate Loans

(Assumes BB Rating with PD of 1.2%)



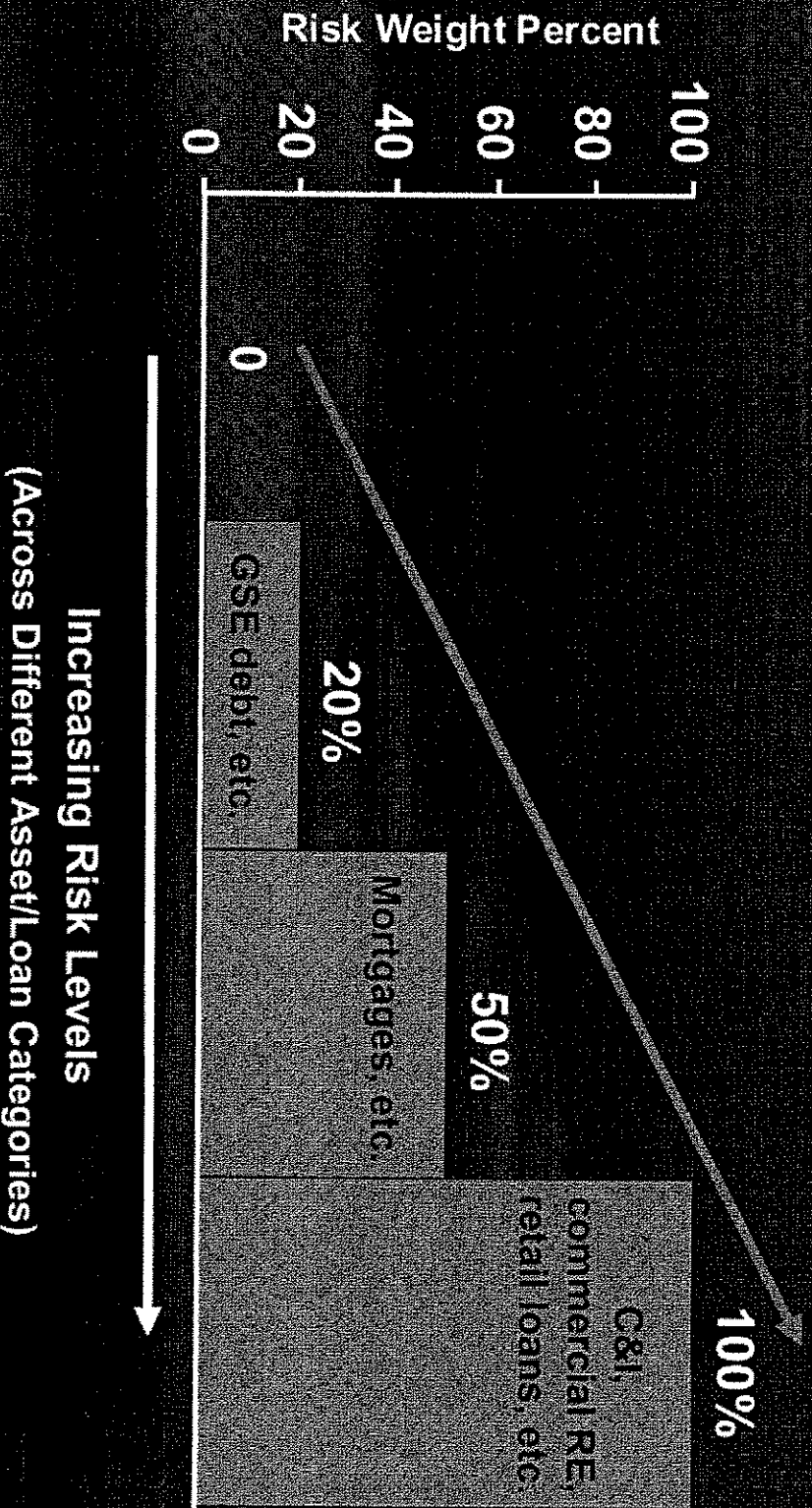
Basel II Risk Sensitivity (cont.)

Example of Basel II Risk Sensitivity for Corporate Loans
3D Risk-Weight Function



Measure of Risk Under Basel I

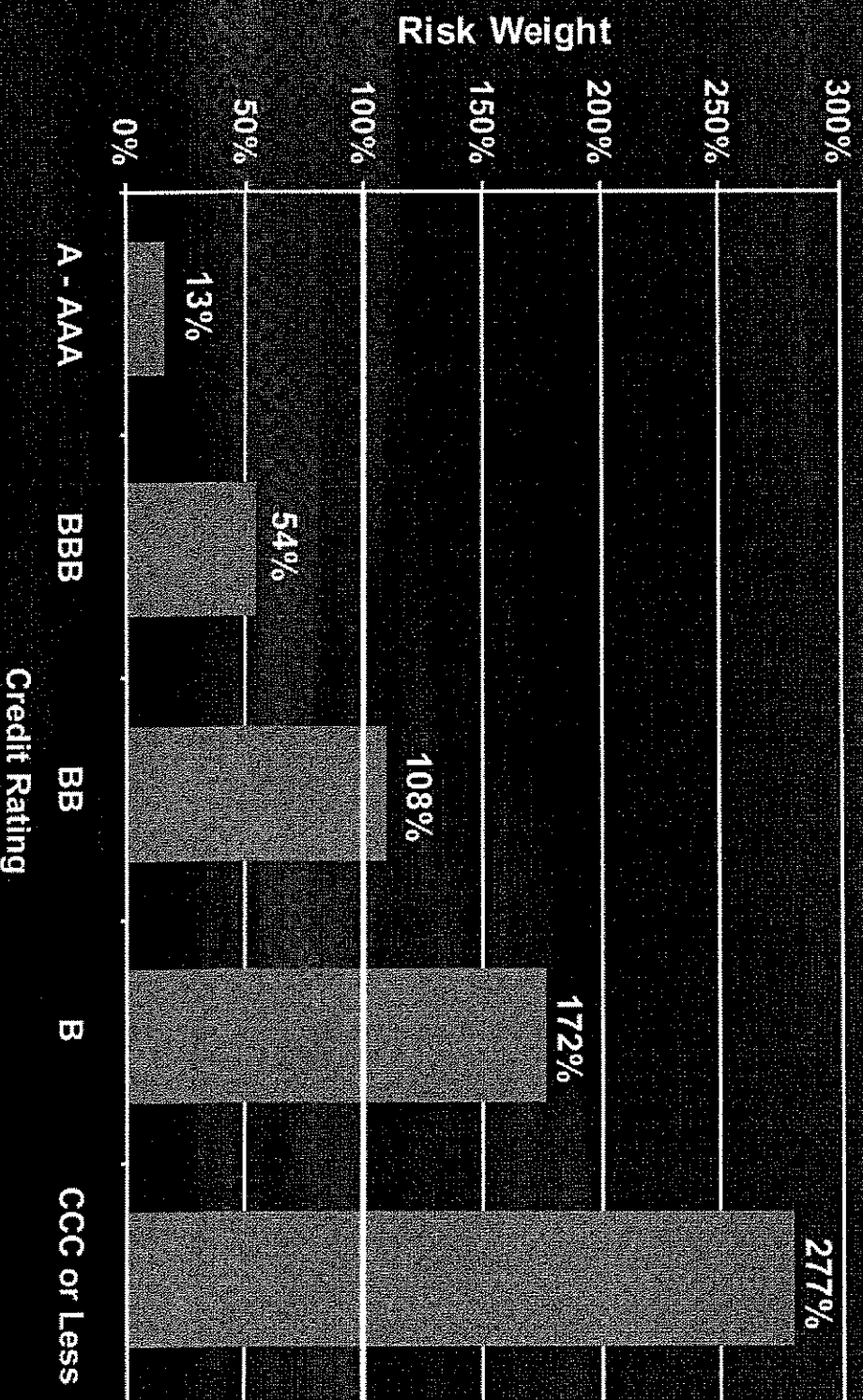
Preset Risk Weights for Different Asset/Loan Categories



Why Does Ratings Integrity/Accuracy Matter?

Example Relative Risk Weights By PD

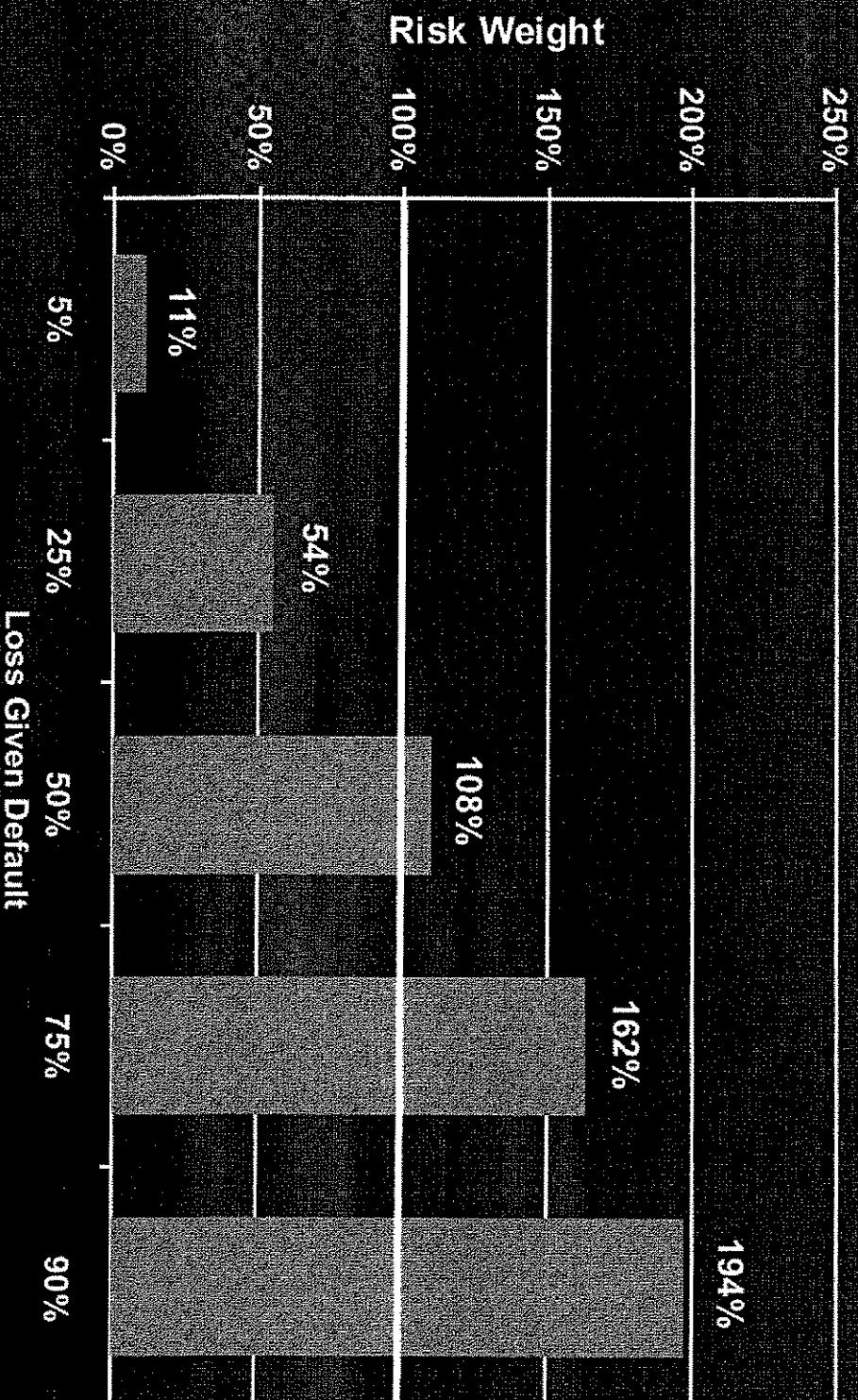
(Corporate Loan with LGD = 50%)



Why Does Ratings Integrity/Accuracy Matter?

Example Relative Risk Weights By LGD

(BB Corporate Loan with PD of 1.2%)

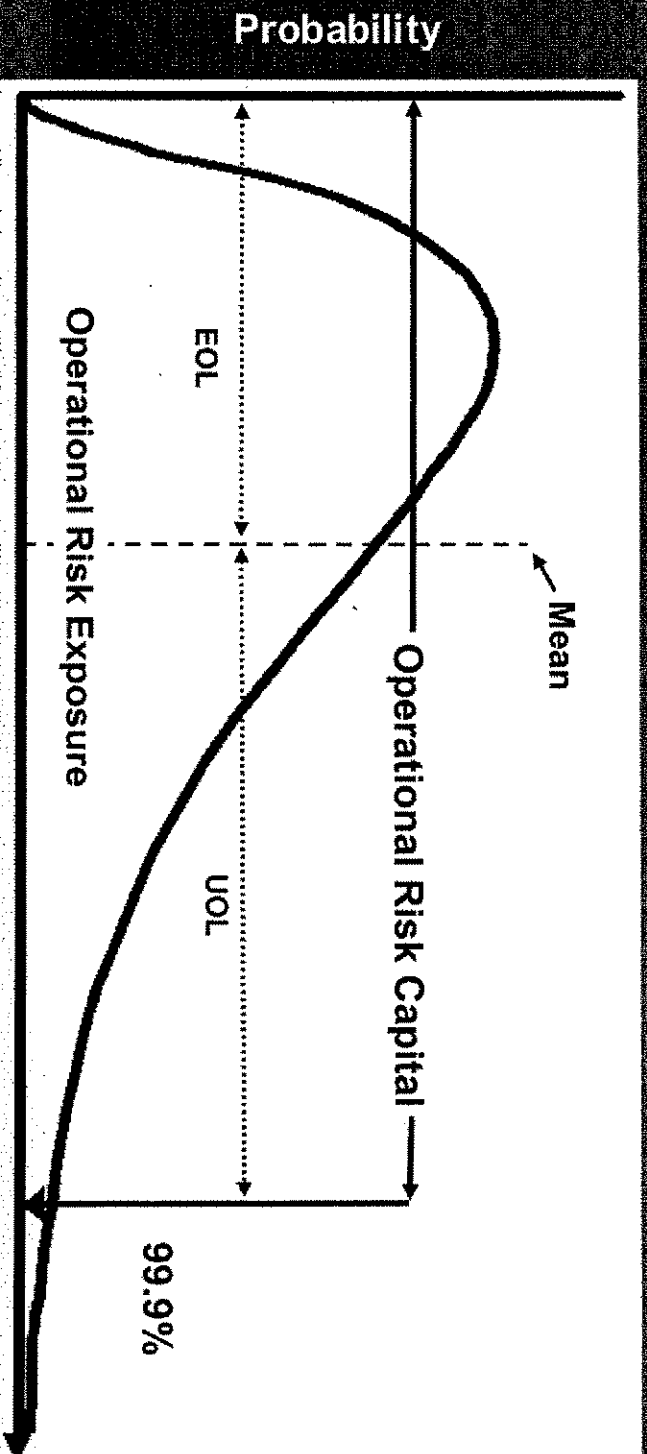


Three Basel II Securitization Approaches

- For agency-rated exposures, banks may use:
 - Rating-Based Approach: banks use supervisory risk weights based on the rating
- For exposures not externally rated, banks may use:
 - Internal Assessment Approach: banks use own process to estimate a rating, or
 - Supervisory Formula Approach: banks use supervisory criteria to determine capital charge

Required Capital for Operational Risk

Operational Risk Loss Distribution



- Banks estimate a loss distribution from internal and external data
- Potential aggregate losses calculated to the 99.9% confidence level
- Operational risk requirement totals about 10-20% of the Basel II total capital requirement

Competitive Issues

Hotly debated issue in the banking industry

- Smaller banks concerned that Basel II banks will have a competitive advantage
- U.S. Basel II banks concerned about possible competitive disadvantages vis-à-vis foreign banks:
 - U.S. banks behind one year plus the additional floor year and leverage ratio may create competitive disadvantages
 - Foreign regulators may not be as rigorous in enforcing Basel II

Competitive Issues (cont.)

- Federal Reserve studies show little evidence of competitive disadvantages for smaller banks. For example:
 - 2004 study of bank lending to small and medium enterprises suggests a relatively minor competitive effect on the majority of community banks
 - 2005 study of bank credit card lending suggests Basel II banks will face higher regulatory capital than Basel I banks & non-bank issuers
- Basel II banks may face lower capital charges for some types of lending, but higher for others (e.g., leveraged lending) -- also subject to add on for operational risk
- Basel II banks will bear significant implementation costs (e.g., MIS and data systems)
- Full impact will not be known until Basel II is fully implemented

Other Constraints on Bank Capital

Banks have competing demands for their capital beyond minimum regulatory capital requirements and consider many factors in managing their capital:

- Satisfying the rating agencies
- Perception of shareholders, investors, and other stakeholders
- Planned business growth and available cushion to execute acquisitions
- Internal economic capital analysis
- Minimum regulatory capital requirements

Robert Stumpf

From: Troughton, Meg -Legal [Meg.Troughton@bankofamerica.com]
Sent: Wednesday, October 10, 2007 9:52 AM
To: sallison@gandalaw.com; William T. Webb; swmlaw@aol.com; jason.robman@FTIConsulting.com; cchiang@buchalter.com; astone@twiesel.com; Abraham, Michael; Belton, Bruce; de la Pena, Richard; Dorman, Laura; Druch, Andrew; Erskine, Andy; Hale, Rob; Iannone, Linda; Kennon, Randy; Lindenmayer, Elaine; Murabayashi, Teryl; Oda, Rosie; Okun, Todd; Price, Mary; Sanchez, Joe; Schrader, Russ; Seiling, Brad; Stern, Will; Robert Stumpf; Thompson, Shirley; Troughton, Meg -Legal; Ungles, Keith; Zandpour, Mike; Balian, Steve; Brandel, Roland; Brown, Sally -Legal; Catalano, Joe; Chan, Leland; Chilleri, Gino; Cintron, Ivan; Coon, Clay; Davis, Ken; Dzivi, Bart; Eckles, David; Elbrecht, Richard; Fatica, Cynthia; Hancock, John; Kawamura, Eric; Kitada, Ted; Kroener, Bill; Mulford, Robert; Muller, John; Nakamura, Jon; Oehmke, John; Isabelle Ord; Ouimette, Mike; Padden, Maurine; Craig Pinedo; Robman, Jason; Rockett, Jim; Rubenstein, Neil; Sayre-Peterson, Kenneth; Schnoll, Kenneth; Scott, Kenneth; Strange, Steve; Takizawa, Steven; Washburn, Chuck; Young, Maureen
Cc: Elerding, Gene; Morris Hirsch; kenneth.davis@ftb.ca.gov
Subject: Proposed Escheat Working Group

Dear Financial Institutions Committee Members and Advisors:

As those of you who attended the Financial Institutions Committee yesterday know, there is a proposal to form a work group with the goal of having a meeting with staff of the Comptroller's Office on some open escheat questions. Obviously, one of the work group's jobs will be to pull together a list of the topics. To level set, the idea is to address items that need clarification today but do not present a philosophical issue about whether or not an item is covered. To explain, I will use one of the examples Gene Elerding gave in the meeting. The Comptroller's Office has given informal, oral advise to escheat uncashed cashier's checks under the payee's name. It has also given informal, oral advise to escheat such items to the buyer's name. The financial institutions can live with either rule, they just need it to be consistent so as to avoid penalties. We would also be looking for the guidance to specifically state that it will be followed going forward and not apply to previous escheated items.

Right now, we are looking to find out who is interested in being part of the work group. If you are interested, please let me know by return e-mail or by calling me at 415.622.6310.

Meg Troughton
 Assistant General Counsel
 Bank of America Corporation
 415.622.6310

10/10/2007

FINANCIAL INSTITUTIONS COMMITTEE FEDERAL LEGISLATION UPDATE

AREA BILL(S)

SUMMARY/STATUS

Student Lending	HR 2669	Signed by President Bush on September 27. Uses \$20B student lender subsidy cuts to offset the cost of shrinking subsidized student loan interest rates, beefing up grant funding, and trimming the deficit by \$750 million.
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Farm Credit	HR 2419	No new action.
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Overdraft Reform	HR 946	The House Financial Services Committee is expected to vote this fall on a bill designed to reduce the prevalence of overdraft charges by requiring banks to obtain customers' permission before charging such fees and to disclose those fees in real time on automated teller machine and debit transactions.
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Under the bill, which Rep. Maloney introduced Feb. 8, consumers who opt in for overdraft protection would have to be notified when a pending ATM or debit transaction would cause them to overdraw their account. The consumer then would have to be informed of the overdraft fee and approve the transaction before it could move forward.

Banks would have to make additional disclosures if they charged a customer an overdraft fee more than three times a year. At that point the fee would be subject to Truth-in-Lending rules, which require that such fees be described by an annual percentage rate.

Debit Protection	HR 2911	No new action.
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Rep. Gary Ackerman, D-N.Y., introduced a bill June 28 that would require banks to give debit transactions the same protections they provide for credit cards. It would require banks to issue a provisional credit within one business day when customers alert them about a fraudulent transaction or an incorrect charge. The bank then would have to conduct an investigation lasting no more than 60 days to determine the transaction's validity. The bill would put the burden of proving the veracity of the transaction on the bank.

Credit Cards	S 1395 HR 2146 S 1309	Rep. Carolyn Maloney, the New York Democrat who chairs the House Financial Services financial institutions subcommittee, is drafting a bill to overhaul credit card practices, and Rep. Frank has said he intends to pass such legislation this fall.
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	HR 1461 HR 873 S 1176 HR 1510	The issue has also attracted attention from Republicans. Rep. Bachus met last month with the top six card issuers, and he is expected to weigh in heavily on reform plans. He has zeroed in on bill processing, retroactive pricing, double-cycle billing, and payment allocation rules as potential areas for reform.
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Sen. Carl Levin, the chairman of the Senate Permanent Subcommittee on Investigations, introduced a bill May 15 that would ban several common card practices.

The bill, co-sponsored by Senate Judiciary Committee Chairman Patrick Leahy, D-Vt., and Sens. Claire McCaskill, D-Mo., and Richard Durbin, D-Ill., would prohibit lenders from charging interest on any portion of card debt paid on time, or on debts paid on time and in full. It also would bar interest rate hikes on outstanding debt and cap penalty rate hikes at 7%. Issuers would be required to apply payments to the lowest-interest debt first.

FINANCIAL INSTITUTIONS COMMITTEE FEDERAL LEGISLATION UPDATE

AREA BILL(G)

SUMMARY/STATUS

and give their customers the option of hard credit limits that cannot be exceeded.

Subprime Lending S 1386
S 1299

Sen. Dodd announced Sept. 5 that he plans to introduce sweeping legislation in the coming weeks to curb predatory lending and create special safeguards for subprime mortgages. According to a bill outline, the Connecticut Democrat's approach is to expand protections for high-cost loans under the Home Ownership and Equity Protection Act by prohibiting balloon payments, prepayment penalties, and yield-spread premiums. The bill also would lower the high-cost threshold to subject more loans to such protections.

Sen. Hillary Clinton, D-N.Y., is expected to introduce legislation targeting brokers and subprime products soon. Sen. Barack Obama, D-Ill., another presidential candidate, has called for stronger regulation of brokers.

Rep. Frank and two North Carolina Democrats, Reps. Brad Miller and Melvin Watt, are expected to introduce a bill on predatory lending this month that includes specific subprime standards.

The Financial Services Committee's ranking Republican, Rep. Spencer Bachus of Alabama, introduced legislation to enhance licensing and registration requirements for mortgage originators, among other lending standards, July 12.

ILCs S 1356
HR 698

No new action.

Bankruptcy Reform

Rep. Brad Miller is expected to introduce legislation soon to head off some subprime foreclosures by creating a four-year change to the Bankruptcy Code so that borrowers could restructure a primary mortgage during bankruptcy proceedings.

House Judiciary Committee Chairman John Conyers, D-Mich., and Senate Majority Whip Richard Durbin, D-Ill., are also expected to introduce broader legislation in the coming weeks making such a change to the code permanent, among other reforms.

FHA Reform HR 1852, S 1805

Sen. Dodd is aiming to reach a deal in the Senate Banking Committee this month to reform the Federal Housing Administration so that more borrowers could qualify for the government-insured loans as an alternative to subprime mortgages.

On Aug. 31, President Bush called on Congress to pass legislation that would modernize the FHA by lowering down payment requirements, increasing loan limits, and creating pricing flexibility.

Sen. Schumer introduced a bill July 17 that would raise FHA limits by about 15%, to \$417,000.

Data Security S 495
S 806
S 1260
HR 1685

No new action.

**FINANCIAL INSTITUTIONS COMMITTEE
FEDERAL LEGISLATION UPDATE**

AREA BILL(S)

SUMMARY/STATUS

HR 958

GSEs
HR 1427
S 1100,
S 2036

On Sept. 10, Sen. Schumer introduced "emergency" legislation (S 2036) to expand the reach of the government-sponsored enterprises temporarily as a means of stabilizing the subprime mortgage market. The bill would let Fannie Mae and Freddie Mac expand their mortgage portfolios by as much as 10% and purchase mortgages as high as \$625,500. The bill would expire a year after enactment. OFHEO and President Bush oppose lifting the caps. President Bush has said that Congress would need to pass a bill to beef up GSE regulation before the administration would consider adding flexibility to the mortgage portfolios or the conforming loan limit. Senate Republicans introduced a similar bill back in April.

1. Amendment of Bankruptcy Code to Permit Modification of Home Loans
S.2136/HR 3609.

The basic thrust of both bills is to grant bankruptcy judges the power to modify the terms of a home mortgage in a Chapter 13 bankruptcy plan. The House version is more open ended allowing the court to set the terms for any "claim secured only by a security interest that is in the debtor's principal residence." The Senate bill places a floor on the interest rate of the loan as modified equal to the then prevailing fixed rate on conventional mortgages. The House bill was introduced on September 20, 2007, and includes Rep. Barney Frank as a cosponsor. It was approved by a subcommittee of House Judiciary Committee on October 4th. The Senate bill was introduced by Democratic leadership on October 3rd.

2. Tax Break for Individuals that Have Forgiveness of Debt Secured by Residence.
S.1394/HR 3648

Current tax law requires individuals to recognize as income the amount of any debt that is forgiven. On October 4th, the House passed HR 3648 by a wide margin. The House bill would instead treat discharge of indebtedness on a principal residence as a reduction in the taxpayer's basis in his house, rather than as current income, if the discharge of debt is "directly related to a decline in the value of the residence or to the financial condition of the taxpayer." Similar legislation was introduced in the Senate on May 15th, and President Bush has stated that he supports the concept.

3. Increasing the Conforming Loan Limits for Fannie Mae and Freddie Mac.
S.2036/ HR 1427

On September 10th, Senator Schumer introduced stand alone legislation that would temporarily increase the statutory conforming loan limit on loans in high cost areas from \$417,000 to \$625,000. A similar provision had previously been included in the omnibus GSE legislation adopted by the House on May 22nd. House Banking Chairman Barney Frank had opposed stand alone legislation until recently, and has now said he supports an effort to adopt this provision separate from the GSE reform bill. The administration opposes this effort.

4. Increasing FHA Insurance limits.
HR 1852/Senate Committee Report not yet Printed

On September 18, the House passed by a wide margin legislation that, among other things, would increase the limit on loans that the FHA could insure to as much as \$730,000 (lower of 125% of local median or 175% of conforming limit). The legislation would also allow loans with no down payment to be eligible (current minimum is 3%), and allow the FHA to establish risk based premiums for its insurance. The House legislation also creates an FHA funded affordable housing fund. On September 19th, the Senate Banking Committee voted 20 to 1 to approve legislation increasing the loan limit

in high cost areas to the conforming loan limit (\$417,000), and lowers the down payment requirement to 1.5%. It is silent regarding risk based premiums. The administration supports raising the limit only to the conforming limit.

5. Mortgage Broker Regulation.

A variety of bills have been introduced in both the House and Senate that would establish some minimum federal standards for persons and companies operating as mortgage brokers. Some of the common features present in these bills include a national registry of mortgage brokers (to prevent persons found guilty of fraud in one state simply moving to another state), establishing by operation of law either an agency relationship, or a fiduciary duty, between the mortgage broker and borrower, requiring the mortgage broker to disclose their compensation to the borrower and preventing mortgage brokers from steering borrowers into higher cost loans. Another proposal from Senator Schumer and others has been to require a new one page form disclosing to the consumer the fundamental terms of the loan.

6. Direct Regulation of Terms of Mortgage Loans.

A variety of bills has been introduced to ban prepayment fees on certain type of adjustable loans. Some bills only ban prepayment fees on the so-called hybrid loans such as that in the legislation introduced by the ranking Republican on the House Banking Committee. HR 3012. Other legislation would ban prepayment fees on any non-Jumbo ARM (HR 3081) or on all mortgages (S.2114). Senator Dodd, Chairman of the Senate Banking Committee, has announced his intent to introduce legislation dealing with many of the subprime issues and would include a ban on certain prepayment fees.

On September 18, legislation was approved by the House Banking Committee that would grant the FDIC and the OCC the power to define unfair and deceptive practices in mortgage lending. Senator Dodd says he intends to introduce a similar measure. This legislation is in response to criticism that the Federal Reserve has not adequately used its existing power under HOEPA to prevent what are now deemed to be abusive mortgage practices.

7. Other potential issues.

Other proposed reforms include creating a \$1 billion special purpose fund to be used to prevent foreclosures, requiring mandatory credit counseling for certain types of loans, and giving \$3,000 tax credits to first time home buyers.

Enacted and Pending California legislation of interest to bankers, as of October 3, 2007

Enacted Legislation

AB 62 (Nava), as amended in Senate, August 27, 2007. **Chapter 224, Laws 2007.**

Disaster relief vis a vis property taxation

SB 1037 (Committee on Banking....). **Chapter 99, Laws 2007.** *CBA: Neutral as amended*

Amends Financial Code 350, 697, 708, 1450, 1501.2, 1521, and 1522 and adds Fin.C. 691.1 on corporate securities activities of banks, and exempting certain trust businesses from meeting certain requirements.

Pending Bills

AB 7 (Lieu, Saldana), as amended in Senate June 28, 2007. *Passed Assembly* (74-0), April 26, 2007. *Passed Senate* (35-2), September 11. *Assembly concurred* in Senate amendments (76-0), September 12, 2007. Enrolled and to Governor, September 26, 2007. *CBA: Neutral*

Would add Financial Code 1241, 14960, 22345 and 23038 and amend Military & Veterans Code 394 to make it unlawful – as of passage and signing by the Governor – under the California Finance Lenders law and the California Deferred Deposit Transaction Law to violate certain provisions of the John Warner National Defense Deposit Authorization Act for Fiscal Year 2007 (on payday loans to armed forces personnel). Would also exempt from the California law prohibitions against discrimination in lending against armed forces personnel, any person who does not market or extend consumer loans to armed services members and any person who does not market deferred deposit transactions to, or enter into such transactions with, armed services members. Bill would not apply to banks.

AB 14 (Laird), as amended in Senate, August 27, 2007. *Passed Assembly* (46-29), May 21, 2007. *Passed Senate* (23-13), September 11, 2007. *Assembly concurred* in Senate amendments, September 12, 2007. Enrolled and to Governor, September 26, 2007. *CBA: Neutral if amended*

Civil Rights Act of 2007. Would, among many other things, amend the Song-Beverly Credit Card Act of 1971 to conform it to the Unruh Civil Rights Act, thereby adding disability, medical condition, marital status, and sexual orientation to the bases of prohibited credit card discrimination.

AB 70 (Jones), as amended in Senate July 17, 2007. *Passed Assembly*, June 6, 2007. *Passed Senate* (23-14), September 12, 2007. *Assembly concurred* in Senate amendments (45-32), September 12, 2007. Enrolled and to Governor, September 26, 2007. *CBA: No position*

Would add Water Code 8460 et al to provide that a city or county may be required to contribute

its fair and reasonable share of the property damage caused by a flood, to the extent that the city or county increased the state's exposure by unreasonably approving new development in a previously undeveloped area, if the city or county failed to comply with existing law.

Other pending bills on water or flood control or disaster relief include:

AB 5 (Wolk), as amended in Senate, June 21, 2007. *Passed Assembly* (45-32), June 7, 2007. *Passed Senate* (21-15), September 11, 2007. *Assembly concurred* in Senate amendments (44-30), September 12, 2007. Enrolled and to Governor, October 1, 2007.

AB 156 (Laird), as amended in Senate, August 31, 2007. *Passed Assembly* (78-1), June 5, 2007. *Passed Senate* (25-14), September 11, 2007. *Assembly concurred* in Senate amendments (53-23), September 12, 2007. To enrollment. . *CBA: Support priority 3*

SB 05 (Machado), as amended in Assembly, August 31, 2007. *Passed Senate* (27-9), June 6, 2007. *Passed Assembly* (44-30), September 6, 2007. *Senate concurred* in Assembly amendments (27-8), September 7, 2007. Enrolled and to Governor, September 12, 2007. *CBA: Support priority 3*

SB 17 (Florez), as amended June 4, 2006. *Passed Senate* (25-11), June 7, 2007. *Passed Assembly* (47-31), September 6, 2007. Enrolled and to Governor, September 12, 2007.

SB 34 (Torlakson), as amended in Assembly, September 4, 2007. *Passed Senate* (21-16), May 21, 2007. *Passed Assembly* (44-33), September 6, 2007. *Senate concurred* in assembly amendments (21-6), September 11, 2007. Enrolled and to Governor, September 14, 2007.

AB 150 (Lieu), as amended in Senate, August 20, 2007. *Passed Assembly* (71-8), June 5, 2007. *Passed Senate* (36-4), September 10, 2007. *Assembly concurred* in Senate amendments ((74-1), September 11, 2007. Enrolled and to Governor, September 26, 2007. *CBA: Support priority 3*

Would add Education Code 52980 et seq., the California Financial Literacy Initiative.

AB 779 (Jones), as amended in Senate August 31, 2007. *Passed Assembly* (58-2), June 6, 2007. *Passed Senate* (30-6), September 6, 2007. *Assembly concurred* in Senate amendments (73-10), September 10, 2007. Enrolled and to Governor, September 18, 2007. *CBA: Oppose priority 2*

Would add Civil Code 1724.4 and 1724.5 and amend Civil Code 1798.29 and 1798.82 to, among other things and as of July 1, 2008, make any retailer that violates the no-storage provisions of network rules liable to any card issuer harmed thereby.

AB 1168 (Jones), as amended in Senate August 31, 2007. *Passed Assembly* (75-0), June 6, 2007. *Passed Senate* (33-6), September 10, 2006. *Assembly concurred* in Senate amendments ((70-3), September 12, 2007. Enrolled and to Governor, September 21, 2007. *CBA: Oppose priority 2 unless amended*

Would add Civil Code 1798.88 and 1798.89 and various other codes to, among other things,

require that certain agencies redact social security numbers from certain records before publicly displaying such records. Also, no one could record or file with a county recorder any document that displays more than the last four digits of a social security number, unless required by state or federal law.

AB 1723 (Judiciary Committee), as amended in Senate June 13, 2007. *Passed Assembly*, May 14, 2007. *Passed Senate*, August 30, 2007. *Assembly concurred* in Senate amendments (59-14), September 4, 2007. Enrolled and to Governor, September 11, 2007.

Would amend Business & Professions Code 6091.2, 6211, 6212, and 6103 on IOLTA accounts.

SB 385 (Machado), as amended in Assembly August 31, 2007. *Passed Senate* (34-1), June 6, 2007. *Passed Assembly* (61-10), September 5, 2007. *Senate concurred* in Assembly amendments (35-1), September 6, 2007. Enrolled and to Governor, September 12, 2007. *CBA: Support priority 2*

Would amend Business Professions Code 101.31.1 and 10245 and add B&PC 10240.3, Financial Code 215.5, 22171, and 50333, and Government Code 13984 to require state-licensed mortgage lenders and brokers, banks, and credit unions to comply with the (federal) Interagency Guidance on Nontraditional Mortgage Product Risks, the (federal) Statement on Subprime Mortgage Lending, the guidance on nontraditional mortgage products issued by the Conference of State Bank Supervisors and the American Association of Residential Mortgage Regulators, and the Statement on Subprime Mortgage Lending issued by the Conference of State Bank Supervisors et al. Willful violations by real estate brokers or residential mortgage lenders would be a crime.

Bill would also expand the definition of real estate broker to include a person who engages as a principal in the business of making loans, with "in the business" defined as the making of eight or more specified loans to the public from the person's own funds.

Bills that are dead for this year

AB 26 (Nakanishi), as amended May 2, 2007. With Assembly Appropriations. Held under submission, May 31, 2007

Flood control

AB 36 (Niello), as introduced December 4, 2006. To Assembly Public Employees, Retirement & Social Security. *CBA: Neutral*

Would add Education Code 221010 and Government Code 26085 et seq. and 31455.5 to criminalize the making of false material statements re public employee retiree benefits or applications, or to knowingly accept public employee retiree benefits while knowing he/she is not entitled thereto. Jail, fines, and restitution.

AB 41 (La Malfa), as amended April 9, 2007. With Assembly Natural Resources.

Water resources: bond proceeds

AB 71 (Dymally), as amended April 9, 2006. With Assembly Revenue & Taxation. Hearing for testimony only, May 21, 2007.

As introduced, would have indexed the minimum wage to inflation. As amended, would allow a tax credit to small employers of a part of any amount paid for health insurance. Will not be included in future listings

AB 75 (Blakeslee), as introduced December 4, 2006

Spot bill on health care coverage for all working Californians and their families

AB 78 (Torrico), as amended April 10, 2007. With Assembly Appropriations. Held under submission, May 31, 2007. *CBA: Neutral as amended*

Would amend and add various provisions of the Government Code to require that any committee regulated by the Political Reform Act of 1970 establish an account to include all

contributions to a candidate, etc., with interest paid to the State Treasury, to be used by the Fair Political Practices Commission to enforce the Political Reform Act. A candidate-controlled committee could opt out of this requirement by paying the FPPC \$ 5,000.

AB 245 (DeVore), as introduced February 1, 2007. With Assembly Revenue & Taxation. Held under submission, May 28, 2007. *CBA: Neutral*

Would add and amend various provisions to the Revenue and Taxation Code to allow deductions for health savings account in conformity with federal law.

AB 267 (Calderon), as amended March 29, 2007. With Assembly Insurance. Hearing scheduled April 11, 2007, cancelled at request of author. *CBA: Support priority 3*

Would add Insurance Code 784.50 et seq. to require any insurance producer agent or insurer who pitches an annuity to a senior (age 65 or older) consumer to have reasonable grounds for believing that the annuity is suitable for that consumer.

AB 512 (Lieber, Coto), as amended in Senate, July 5, 2007. *Passed Assembly* (47-29), June 7, 2007. Rereferred to Senate Banking, Finance & Insurance, September 120, 230-07. *CBA: Oppose*

Would amend Civil Code 1632 to extend California's "foreign language translation" statute to residential mortgages. Lenders would be required to provide a translation of the summary sheet of loan terms in the language in which the loan was negotiated, if that was either Spanish, Tagalog, Mandarin Chinese, Vietnamese, or Korean. A bank, etc., that makes loans secured by real property shall provide a summary translation of specified contract terms in each of those languages, as drafted by the Secretary of the Business, Transportation and Housing Agency.

AB 703 (Ruskin), as introduced February 22, 2007. With Assembly Judiciary. Hearing scheduled April 17, 2007, cancelled at request of author. *CBA: Neutral as amended*

Would add Civil Code 1798.555 to prohibit using a social security number as an identifier except when required by federal law. Any records with such numbers must be either encrypted or stored under lock and key, and when destroyed, done so through cross-cut shredding or some other manner that protects confidentiality.

AB 1301 (Gaines), as introduced February 23, 2007. With Assembly Banking & Finance. Hearing cancelled at request of author, April 24, 2007.

Would repeal Financial Code 753 and amend Fin C. 3516, to require Commissioner approval before any bank could deposit any of its funds with another corporation.

AB 1313 (Calderon), as amended April 24, 2007. With Assembly Judiciary. Hearing scheduled May 8, 2007, cancelled at request of author. *CBA: Support priority 3*

Would amend Civil Code 1747.85 to allow a card issuer to terminate all or substantially all of a class of the issuer's private label credit card accounts on 60 days after-the-fact notice, instead of 30 days prior notice.

AB 1418 (Arambula), as amended April 24, 2007. With Assembly Banking & Finance. *CBA: Support*

Would add Financial Code 14835 to require the Credit Union Advisory Committee (part of the Department of Financial Institutions) to develop a Credit Union Membership Investment Model that would identify credit union best practices in the areas of community development, small business and microenterprise financing, and investments of credit union capital. The model would have to be developed by July 1, 2009 and would be posted on the DFI's website.

SB 06 (Oropeza), as amended April 11, 2007. With Senate Local Government. Hearing postponed by committee, April 24, 2007.

Land use planning, flood control

SB 11 (Migden), as amended in Assembly, July 5, 2007. *Passed Senate* (23-15), June 4, 2007. With Assembly Appropriations. Held in committee under suspension, August 30, 2007.

Would amend Family Code 297 and 298.5 and Probate Code 2854 to eliminate the requirement that domestic partnerships be same sex.

SB 30 (Simitian), as amended in Assembly, August 31, 2007. *Passed Senate* (33-3), May 24, 2007. To inactive file, September 5, 2007. *CBA: Oppose priority 3*.

Identity Identification Protection Act of 2007

SB 31 (Simitian), as amended April 17, 2007. Held in committee without recommendation, April 24, 2007. To Assembly. *CBA: Neutral*

Would add Civil Code 1798.79 et al to make it a misdemeanor to remotely read (or attempt to remotely read) a person's ID.

SB 59 (Cogdill), as introduced January 11, 2007. With Senate Natural Resources. Failed passage in committee (3-4), April 24, 2007, reconsideration granted.

Reliable Water Supply Bond Act of 2008

SB 129 (Kuehl), as amended March 15, 2007. With Senate Public Safety. Held in committee without recommendation, March 27, 2007. *CBA: Oppose priority 3 unless amended*

Would amend Penal Code 633m to increase the penalties for intentionally annoying telephone calls, etc., if the call is in violation of a protective order, if the caller and callee have a specified relationship, or if a person knowingly permits a telephone, etc., under the person's control to be used for a prohibited purpose.

SB 270 (McClintock), as introduced February 15, 2007. With Senate Judiciary. *CBA: Support priority 3*

Would amend Code of Civil Procedure 1513 through 1521 on unclaimed property. Among other things, abandoned property held by a bank would escheat after 7 years instead of

3 years. Also, banks would have to send notices to apparent owners of safe deposit boxes concerning escheat.

SB 294 (Ackerman), as introduced February 15, 2007. With Senate Judiciary. Hearing scheduled March 27, 2007, cancelled at request of author.

Would amend Corporations Code 1502, 1502.1, 2117, and 2117.1 to excuse a publicly traded corporation from having to file certain reports with the Secretary of State if the corporation has a central index key that enables anyone to obtain information about that corporation from the SEC.

SB 388 (Corbett), as amended in Assembly July 3, 2007. *Passed Senate* (22-17), May 31, 2007. With Assembly Judiciary. To inactive file, September 10, 2007. *CBA: Oppose priority 2*

Would add Civil Code 60 et seq. on radio frequency identification (RFID) tags. Any private entity that sells or issues a card with an RFID tag that is capable of being scanned for the cardholder's personally identifiable information must give certain information to the recipient. A recipient cardholder who is not so informed can sue any private entity that intentionally violates the law for \$1,000 or actual damages. Attorneys fees and costs to the prevailing party.

SB 461 (Ashburn), as introduced February 21, 2007. To Senate Public Employment and Retirement. Failed passage in committee (1-2), April 16, 2007. Reconsideration granted. *CBA: Neutral if amended*

Would add Government Code 7513.4 and 16642.5 to prohibit the Public Employees' Retirement System and the California State Teachers' Retirement System from investing public employment retirement funds in any company with business operations in a foreign terrorist state.

SB 573 (Scott), as amended in Assembly July 2, 2007. *Passed Senate* (36-2), May 21, 2007. With Assembly Insurance. Ordered that bill be retained in committee, and subject matter be referred to Committee on Rules for assignment to the proper committee for study, July 5, 2007.

Would require any life insurance agent or insurer that pitches as annuity to a senior consumer have reasonable grounds for believing that the annuity is suitable for that consumer.

SB 596 (Hannan), as introduced February 22, 2007. To Senate Judiciary. First hearing cancelled at request of author. *CBA: Oppose priority 2*

Would add Business & Professions Code 22949 et seq. to require that any computerized payment system sold as new in California to include antisniffer protection. A sniffer is a program or device that monitors data traveling over a computer network.

SB 638 (Romero), as introduced February 22, 2007. With Senate Banking, Finance & Insurance. Hearing scheduled May 7, 2007, cancelled at request of author. *CBA: Oppose priority 1 unless amended*

Would amend Financial Code 14800 to allow state-chartered credit unions to offer lifeline banking (i.e., to sell money orders and to cash checks and money orders and receive electronic funds transfers) for persons not in their field of membership.

SB 752 (Steinberg), as amended April 18, 2007. With Senate Revenue & Taxation. Hearing cancelled at request of author, April 19, 2007. *CBA: No position*

Would add Government Code 99100 and Revenue & Taxation Code 17140.1, the California Kids Investment and Development Savings (KIDS) Account Act. Every child born in California on and after January 1, 2008, would get a \$ 500 investment account with the State Treasury.

Bob Mulford, October 3, 2007

**Office of Thrift Supervision
Vacancy Announcement**

Position Title, Series & Grade:	Regional Counsel TG-905-24
Vacancy Announcement Number:	2007-0155
Area of Consideration:	U.S Citizens
Duty Location:	Office of Chief Counsel Office of the Regional Counsel, San Francisco (Daly City)
Opening Date:	September 21, 2007
Closing Date:	October 12, 2007
Salary Range:	TG-24 – \$124,362 to \$242,004
Number of Hours/Week:	40
Tour of Duty:	Full-time Permanent Position
Type of Service:	Excepted Service
Number of vacancies:	One Managerial Position (Not in Bargaining Unit)
Position Sensitivity:	Moderate

DUTIES:

This position is located in the Office of the Chief Counsel, Regional Counsel's Office, West Region, of the Office of Thrift Supervision (OTS). OTS is the primary regulator of savings associations and savings association holding companies. OTS is an Office of The U.S. Department of Treasury and has five regional offices located in Jersey City, Atlanta, Chicago, Dallas and San Francisco.

The Regional Counsel is responsible for providing legal counsel to staff in the West Region to assist them in their responsibilities for ensuring safety and soundness and compliance with applicable laws and regulations of entities subject to OTS's regulatory jurisdiction. The Regional Counsel reports through the Senior Deputy Chief Counsel to the Chief Counsel.

Specific duties and responsibilities include:

- Provide legal advice and guidance to the Regional Director, Deputy Regional Director, Assistant Directors, and supervisory and examination staffs (collectively, Regional Staff) in interpreting and applying laws and regulations affecting savings associations, holding companies, and affiliates.
- Advise the Regional Staff in developing and implementing formal and informal enforcement actions.
- Draft and negotiate informal and formal enforcement actions, including but not limited to cease and desist orders, removal and prohibition orders, supervisory agreements, civil money penalty assessments, and other enforcement documents.
- Prepare written recommendations for formal and informal enforcement actions, issue subpoenas, and attend administrative depositions, as requested.
- Analyze extremely complex legal and regulatory issues by applying the appropriate legal and safety and soundness principles to specific factual situations arising in cases.
- Advise Regional Staff in developing regulatory strategies to resolve regulatory and legal issues pertaining to savings associations, savings and loan holding companies, and their affiliates.

- Provide legal advice to Regional Staff responsible for processing institution filings and applications that involve proposed business practices and transactions.
- Meet with board of directors and management of holding companies and savings associations to interpret and explain applicable statutes, regulations and OTS policies and actions.
- Respond to, or oversee the processing of responses to, requests for OTS documents and testimony in accordance with OTS policies and regulations.
- Respond to, or oversee the review of ethics issues or questions relating to OTS employees, as requested.
- Advise concerning personnel actions as requested by senior management.
- Analyze financial data, including examination reports and monthly and quarterly financial reports, to advise concerning the grounds for proposed supervisory actions.
- Interview, hire, assign work to, train, manage, evaluate, and develop the skills of staff.

QUALIFICATION REQUIREMENTS:

You must have professional experience of the scope and quality sufficient to effectively carry out the above duties. In particular, candidates must have a minimum of seven years of specialized experience in professional legal banking or a related financial area pertaining to banks/thrifts or their holding companies.

While there is no requirement for senior level positions to have work experience at the next lower level, qualified candidates will meet specialized experience requirements through closely related work whose complexity is rated at or above the GS-14 level in the Federal Service, TG-22/23 in the OTS classification system or at a comparable level of complexity in the private sector or nongovernmental organizations.

Candidates must also be a graduate from a law school accredited by the American Bar Association and be a member in good standing of a state, territory of the United States, the District of Columbia or the Commonwealth of Puerto Rico bar.

You must be a U.S. citizen to apply for this position.

If selected, eligibility for an ID Badge is required. You must be ID Badge eligible in accordance with HSPD-12, and upon entering for duty you must undergo a federal background investigation that results in a favorable adjudication for an ID Badge. You must maintain ID Badge eligibility throughout your service with OTS.

KNOWLEDGE, SKILLS AND ABILITIES FOR THIS POSITION (RATING FACTORS):

If you meet the basic qualifications for this position, your application will be evaluated on the quality and extent of your total accomplishments, experience and education. You are encouraged to submit a narrative statement on a separate page(s) with specific responses to the knowledge, skills and abilities (KSAs) listed below:

1. **Knowledge of the specific laws, rules and regulations governing financial institutions as well as the Administrative Procedures Act, Freedom of Information Act, Privacy Act, and Right to Financial Privacy Act.**
2. **Knowledge of the risks emanating from the operations of financial institutions and holding companies.**
3. **Ability to communicate effectively, both orally and in writing, with a variety of organizations and individuals on complex legal issues, financial laws, rules, and policies and to coordinate sound courses of action.**
4. **Leadership skills, especially the ability to provide leadership and clear direction to lawyers, paralegals, administrative staff, and financial specialists.**

BENEFITS:

OTS is pleased to offer its employees a generous benefits program. The OTS, at no cost to its employees, pays for many benefits while others are subsidized by the agency. Among the benefits you receive as an OTS employee are:

- Enrollment in the Federal Employees Retirement System
- Thrift Plan contribution opportunities with agency matching funds (both Federal and private plans)
- Pre-tax Health and Dependent Care Program with agency contribution
- Life insurance with basic cost paid by the government
- Health insurance with cost shared by the government
- Thirteen paid sick leave days annually
- Ten paid holidays per year
- Thirteen paid days of vacation for the first 3 years of federal service, increasing to 20 days for 3 to 15 years of service, and 26 days for 15 years of federal service and greater
- Alternative Work Schedules
- Sick leave options for birth, adoption and foster care needs

OTHER INFORMATION:

- Relocation expenses will be paid in accordance with OTS relocation policy.
- This position is the excepted service and does not confer competitive status.
- Under Executive Order 11935, only United States citizens and nationals (residents of American Samoa and Swains Island) may compete for civil service jobs.
- A background security investigation is required for all new hires.
- If this is your first federal appointment, you will be required to complete a one-year trial period.
- You must meet all qualification requirements within 30 days of the announcement closing date.
- If you have not completed a one-year supervisory/managerial probation period, you will need to complete the requirement.
- Your Social Security Number is requested under the authority of Executive Order 9397 to uniquely identify your records from those of other applicants who may have the same name.
- If you make a false statement in any part of your application, you may not be hired, you may be fired after you begin work, or you may be subject to fine, imprisonment or other disciplinary action.
- Privacy Act Notice: (PL 93-579). The information requested in your application is used for determining qualifications for employment and is authorized under Title 5 U.S.C. 3302 and 3361.
- OTS provides reasonable accommodations to applicants with disabilities on a case-by-case basis. If you need a reasonable accommodation for any part of the application and hiring process, please notify Lynn Connell on (202) 906-6171 or email: lynn.connell@ots.treas.gov
- If selected, you will be required to provide verification of US citizenship and employment eligibility under the Immigration Reform and Control Act of 1985 (P.L. 99-603).
- Male applicants born after December 31, 1959 will be required to complete a statement for Selective Service Registration.

HOW TO APPLY:

In order to receive full consideration for this vacancy, you must submit the following information:

- Optional Application for Federal Employment (OF-612), or a resume. Note that whichever document you submit, it must include the following information: name, vacancy announcement number, social security number, telephone number where you may be reached during the day, and your citizenship. Copies of the OF 612 may be obtained from OPM's web page <http://www.usajobs.opm.gov> or from the OTS web page (<http://www.ots.treas.gov>).
- If you are claiming veterans' preference, you **must** submit with your application package evidence of eligibility with a DD-214, "Certificate of Release or Discharge from Active Duty. If you are claiming 10-point preference, you must also submit a Standard Form 15 (<http://www.usajobs.opm.gov/forms.htm>) and supporting documentation with your application package. An applicant claiming veteran's preference who does not submit this evidence will not receive additional points for veteran's preference in the rating process. Information veterans' preference is available in the Vet Guide that may be found on the U.S. Personnel Management website www.opm.gov/
- A supplemental statement addressing your possession of the knowledge, skills, and abilities as described above in this announcement.
- Please be prepared to bring a **writing sample** if you are contacted for an interview.
- If you are a federal employee, please submit a copy of your latest SF-50, Notification of Personnel Action.
- A copy of your most recent performance appraisal preferably completed within the past year. This is required if you are a current federal employee only.
- Race and National Origin Identification Form (SF-181). Submission of this form is voluntary and failure to submit it will have no impact on you or your consideration for this position. Copies of SF-181 may be obtained from OPM's web page <http://www.usajobs.opm.gov> or from the OTS web page (<http://www.ots.treas.gov>).

APPLICATION SUBMISSION:

Your application packages may be mailed, e-mailed, or faxed.

Due to security processing of mail by the U.S. Postal Service, mail may be delayed and applications received after the closing date. Applicants are encouraged to apply by fax or e-mail.

Email your application to: lynn.connell@ots.treas.gov

FAX your application to: (202) 906-6256

Or

Mail your application to:

Office of Thrift Supervision
Human Resources Division, Second Floor
1700 G Street, NW
Washington, DC 20552
Attention: Lynn Connell

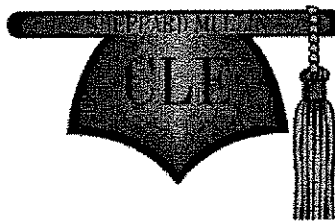
- **Applications must be received by the closing date of this announcement.**
- Applications sent in government postage paid envelopes are not considered.
- Applicants who apply by email may fax or mail supplemental papers. Applicants should include the vacancy announcement number and their name on the supplements.
- Applications received under this announcement will not be returned.
- Please do not submit original documents that you will need for your personal records. Copies will be accepted.

For additional information, please call: Lynn Connell (202) 906-6171 or email lynn.connell@ots.treas.gov. You may also visit the OTS website <http://www.ots.treas.gov> to view a copy of the vacancy announcement or obtain the application form.

WHAT TO EXPECT NEXT:

Once this announcement closes, candidates will be evaluated by a selection official or panel that compares your skills and experience as described in your application and supporting documentation with the requirements of the position. Whether or not you are contacted for an interview depends upon the quality of the match, the presentation of your qualifications and the judgment of the selecting official. As soon as this process is complete you will be notified of the outcome. Selections should be made within 45 days of the closing date.

OTS IS AN EQUAL OPPORTUNITY EMPLOYER



CERTIFICATE OF ATTENDANCE FOR CALIFORNIA MCLE

Provider: Sheppard, Mullin, Richter & Hampton, LLP

Subject Matter/Title: California State Bar Financial Institutions Committee Meeting

Date and Time of Activity: October 9, 2007, 9:30 a.m.

Location: SMRH-SF, LA, SD

ELIGIBLE CALIFORNIA MCLE CREDIT: 2

TOTAL HOURS: 2

Legal Ethics:

Elimination of Bias in the Legal Profession:

Prevention, Detection and Treatment of Substance Abuse:

To Be Completed by the Attorney After Participation in the Above-Name Activity

By signing below, I certify that I participated in the activity described above and am entitled to claim California MCLE credit hours:

Total Hours: 2

(You may not claim credit for the following sub-fields unless the provider is granting credit in these areas as listed above.)

Legal Ethics:

Elimination of Bias in the Legal Profession:

Prevention, Detection and Treatment of Substance Abuse:

Attorney Signature: _____

Reminders: Keep this record of attendance for four years. In the event that you are audited by the State Bar, you may be required to submit this record of attendance. Send this to the State Bar only if you are audited. You must sign in on the Official Record of Attendance for California MCLE maintained by this provider in order for these hours to qualify for California MCLE credit.